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HONOURABLE SRI JUSTICE B.PRAKASH RAO
AND
HONOURABLE SRI JUSTICE M.VENKATESWARA REDDY

WRIT PETITION Nos:14248 and 14376 of 2006

DATED: 13-03-2007

W.P.No.14248 of 2006:

Between:

Damerla Naramma

..... PETITIONER

AND

1. The Director General of Police, Government of A.P., Hyderabad and 2 others.

.....RESPONDENTS

W.P.No.14376 of 2006:

Between:

Damerla Swapna

..... PETITIONER

AND

1. The Station House Officer, Pedda Vura Police Station, Nalgonda and another

.....RESPONDENTS

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COMMON ORDER: (per The Hon'ble Sri Justice B.Prakash Rao)

This matter has been coming up for more than one occasion i.e., yesterday and earlier also and it was being called both in the morning and afternoon. However, there was no representation on behalf of the petitioners. Heard the learned Advocate General on behalf of respondents 1 to 3 and Sri C.Padmanabha Reddy, learned Senior Counsel appearing on behalf of R-4.

The only short question which arises for consideration in these writ petitions is whether the petitioners are entitled to seek habeas corpus for production of detenu Damerla Srinivas @ Gokaram Sreenu, S/o.Chennaiah, aged 28 years, Pochamma Temple Lane, Warasiguda, Secunderabad.

These writ petitions are filed *inter alia* on the ground that the detenu is the son of the petitioner in W.P.No.14248 of 2006 and husband of the petitioner in W.P.No.14376 of 2006. On 05-07-2006, he left the house stating that he is going to Nalgonda Court to attend criminal case in Cr.No.125 of 2006 on the file of I Town Police Station, Nalgonda District, pending on the file of the Judicial First Class Magistrate, Nalgonda, therefore, the petitioners are suspecting the Station House Officer, Nalgonda District because there are serious disputes between the Station House Officer, and the detenu. In spite of the representation dated 08-07-2006, no action has been taken. Hence, the writ petitions.

After taking notice, the learned Advocate General filed

counter. The allegations made in the counter-affidavit filed by the Station House Officer, while denying the entire allegations, are that there is absolutely no such abduction or any act as alleged against him. Further, with reference to several other disputes with which the petitioner in W.P.No.14248 of 2006 and her son are involved criminal case is pending.

Having regard to the apprehension expressed on behalf of the petitioners that the Station House Officer, Nalgonda, taken away the said detenu, this Court has called for a report after subjecting him to the polygraph test. Accordingly, the report has been filed on 04-03-2007 stating that he has been subjected to polygraph test on 08-02-2007 and 19-02-2007, and with a finding that the statements given by him show that he was not involved in committing any fraud or the allegations as made.

Having regard to the same, and especially, in view of the report as stated above, we do not find any merits in the very allegations which are absolutely found to be baseless.

The writ petitions are accordingly dismissed as rejected. No costs.

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B.PRAKASH RAO, J

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M.VENKATESWARA REDDY, J

13th March, 2007

SKM

HONOURABLE SRI JUSTICE B.PRAKASH RAO
AND
HONOURABLE SRI JUSTICE M.VENKATESWARA REDDY

WRIT PETITION NO:26228 of 2006

ADVANCE ORDER: (Per the Hon'ble Sri Justice B.Prakash Rao)

The writ petition is allowed. The impugned order of detention dated 22-11-2006 is quashed. The detenu *viz*., Vemula Veeraswamy, S/o.Kanakababu, aged 22 years, Lakshmanaraopuram, Machilipatnam Town, Krishna District, shall be released forthwith, if not required in any other case.

(Order follows……)

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B.PRAKASH RAO, J

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M.VENKATESWARA REDDY, J

05th March, 2007

Note:

Please send the bundle to the Court Masters Section immediately after dispatch of the advance order.
B/o.
SKM